

CERTIFICATE OF NEED PROGRAM



Iowa Department of Public Health

General Instructions
for
Certificate of Need Application Submission

2021

General Instructions

PLEASE READ PRIOR TO COMPLETING AN APPLICATION

1. Prior to completing an application, review Iowa Code Sections 135.61-135.83 and 641 Iowa Administrative Code (IAC) chapters 202 and 203. These materials will provide information about Certificate of Need (CON) and the application process. These documents can be found on the Iowa CON website at <https://idph.iowa.gov/policy-and-workforce-services/cert-of-need>.
2. If the reviewability of a project is in question a Reviewability Determination may be requested prior to the submission of an application. See 641 IAC 202.3 for more information and/or contact Certificate of Need (CON) staff at 515-218-4969.
3. As set forth in Iowa Code section 135.65, the sponsor of a proposed new or changed institutional health service shall submit a Letter of Intent not less than 30 days prior to submitting the CON application. Letters of Intent expire one year from the date they are received by the Iowa Department of Public Health. CON staff will issue a letter of response to the Letter of Intent. **Keep this letter for future reference.**
4. There may be additional directions in the response to the Letter of Intent. Read this response carefully.
5. There are different application forms depending on the type of CON project. Please select the most applicable application. Not all items on each application will relate to a specific project. If you have questions about the CON process, which application to use or the applicability of any item on your project, contact CON program staff at 515-218-4969.
6. The applicant shall be the entity to whom the nontransferable CON will be issued.
7. An application will not be accepted if the information contained in the application materially differs from the information provided in the Letter of Intent (i.e., facility name, capital expenditure and location, including county).
8. The applicant shall answer all questions on the applicable form. If a question is not relevant, indicate “not applicable” or N/A, and a brief explanation about why the applicant does not believe the information is required.
9. Number the pages in your application.
10. The applicant will file a total of seven (7) hardcopies of the application – one original and six copies - by the deadline noted in the response to the Letter of Intent. All hardcopies shall be single sided and single spaced on 8.5 x 11 paper. The original should have no binding or staples other than a rubber band. The copies can be bound, do not, however, use 3-ring binders. In addition, an electronic copy of the entire application (including any attachments) must also be received by the date/time noted in the response to the Letter of Intent. **All applications (hardcopy and electronic) must be**

received by no later than 4:00 PM on the due date. Late applications will be subject to the next new review cycle.

11. All hardcopies of the application should be delivered or sent to:

Certificate of Need Program Manager
Iowa Department of Public Health
Lucas State Office Building
321 E. 12th Street
Des Moines, IA 50319

PLEASE NOTE: If delivering applications in person, please go to the Iowa Department of Public Health receptionist desk, located on the 6th floor of the Lucas Building.

12. The appropriate CON filing fee, as set forth in Iowa Code section 135.63 and 641 IAC 202.4(2) and as noted in the response to the Letter of Intent must be paid concurrently with the filing of the CON application. Please make checks payable to: **Treasurer, State of Iowa**. PLEASE NOTE: ICF/ID's and ICF/PMI's are exempt from the CON filing fee.
13. CON staff will review the application for completeness upon receipt. Within fifteen (15) days of acceptance, the application will be deemed complete, substantially incomplete, or a request for additional information will be issued.
14. If an application is deemed to be substantially incomplete, it will be returned for amendment and may be subject to the next new review cycle.
15. If a request for additional information is issued, responses to the questions must be made in writing and delivered electronically by the due date to the email address listed in the request. This date is also the last day upon which an applicant can submit any additional written materials, except affected party letters in support, which are due by the affected party deadline noted on the CON web site under "meeting information – next meeting – submission deadlines." This date is earlier than the applicant final submission date. PLEASE NOTE: To assist Health Facility Council members, all written materials, except PowerPoint (or poster board or similar medium) presentations, must be submitted by this deadline. PowerPoint (or poster board or similar medium) presentations that will be used at the hearing do not need to be submitted in advance. If the meeting is held via an online platform, such as Zoom, all exhibits, such as PowerPoint presentations must be submitted in advance so that they can be provided to Health Facility Council members.
16. An applicant may withdraw its application at any time without prejudice. Applicants must notify CON program staff in writing of such action. Application fees are subject to refund based on the schedule listed in 641 IAC 202.4(2)(d). It is the responsibility of the applicant to notify CON staff regarding to whom the refund check should be made and to where it should be sent.
17. The application, other materials in the project file and any evidence offered at hearing are considered public record and are available for public inspection, copying, and disclosure under Iowa Open Records Law – Iowa Code Chapter 22.
18. Certificate of Need related law and rules can be found on the Iowa Certificate of Need website at <https://idph.iowa.gov/policy-and-workforce-services/cert-of-need>.